

Declaration For Utility Patent Application

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Canting Ballast Twin Foil Sailing Yacht Ocean Racing Ballast Drive System

the specification of which is attached hereto unless the following box is checked: ☐ was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information which is material to patentability as defined in 37 CFR §1.56. I have received a copy of 37 CFR §1.56 which I have read and understand.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s): _____ [☐ Priority Not Claimed]
(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of the following United States Provisional Application (if any): 60/440,453 January 15, 2003
(Application Number) (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)

(Filing Date)

(Status - Patented, pending, abandoned)

Prosecution Authorization and Correspondence Address. I hereby authorize Attorney Loyal M. Hanson, Reg. No. 30,062, to file the application identified above, to prosecute the application, and to transact all business in the Patent and Trademark Office connected therewith, with full authority to withdraw as the attorney of record at any time as he may elect to do so, all without obligation to me, realizing that he is not my attorney and that he is acting as an attorney of Dyna-Yacht, Inc., a California corporation, the present or proposed assignee of the entire, right, title, and interest in and to the invention identified above and the patent application filed herewith. I consent to said assignee prosecuting the application to the exclusion of and without notice to me. Please address all telephone calls and correspondence concerning the application as follows:

Mr. Loyal M. Hanson
HANSON LAW CORPORATION
PO Box 430, Fallbrook, CA 92088-0430
Telephone 760/723-0620

No Other Inventors. The two inventors listed below are the only inventors.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Charles W. ROBINSON
Inventor's signature Charles W. Robinson Date 8/13/03
Residence Santa Fe, New Mexico Citizenship United States of America
Post Office Address P.O. Box 2305 Santa Fe, New Mexico 87504

Full name of second inventor WFB William F. BURNS III
Inventor's signature WFB Date 8/14/03
Residence San Diego, Calif rnia Citizenship United States of America
Post Office Address 311 Furth Avenue, #307 San Diego, California 92101

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b)) -- INDEPENDENT INVENTOR

Docket Number
1329

Applicant: Charles W. Robinson and William F. Burns III
Serial No: not yet assigned
Filed: filed herewith
Title: Canting Ballast Twin Foil Sailing Yacht Ocean Racing Ballast Drive System

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office regarding the invention described in:

- ☒ the specification filed herewith with the title listed above.
☐ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed and I am under no obligation under contract or law to assign, grant, convey, or license and rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.*

- ☐ No such person, concern, or organization exists.
☒ Each such person, concern, or organization listed below.

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name DYNA-YACHT, INC. a California corporation
Address 401 West "A" Street, Suite 1650, San Diego, California 992101 USA
☐ INDIVIDUAL ☒ SMALL BUSINESS ☐ NONPROFIT

Name _____
Address _____
☐ INDIVIDUAL ☐ SMALL BUSINESS ☐ NONPROFIT

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Charles W. Robinson

Name of Inventor

Signature of Inventor

Date

William F. Burns III

Name of Inventor

Signature of Inventor

Date

Name of Inventor

Signature of Inventor

Date

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) -- SMALL BUSINESS CONCERN

Docket Number
1329

Applicant: Charles W. Robinson and William F. Burns III
Serial No: not yet assigned
Filed: filed herewith
Title: Canting Ballast Twin Foil Sailing Yacht Ocean Racing Ballast Drive System

I hereby declare that I am an official of and empowered to act on behalf of the small business concern whose name and address is:

DYNA-YACHT, INC., 401 West "A" Street, Suite 1650, San Diego, CA 92101

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with the title listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). Each person, concern, or organization having any rights in the invention is listed below.

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

The Name, Title, and Address of the person signing is:

Charles W. Robinson, President
DYNA-YACHT, INC.
401 West "A" Street, Suite 1650
San Diego, CA 92101

Signature

Charles W. Robinson

Date

8/13/03